

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF MASSACHUSETTS

U.S. DISTRICT COURT
DISTRICT OF MASS.

2006 JUN -8 P 4:05

FILED
IN CLERKS OFFICE

ARTHUR PERNOKAS,
Plaintiff

v.

C. A. No. 04-10258-NG

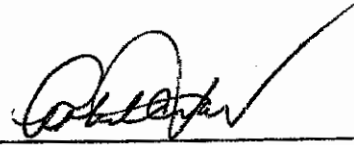
BARRIE PASTER, M.D.,
Defendant

PLAINTIFF'S REQUESTED VOIR DIRE QUESTIONS

1. Does anyone feel that lawsuits in general do more harm than good for society?
2. How many of you think there are too many lawsuits?
3. How many of you think there too many unjustified negligence lawsuits?
4. How many of you think there are too many lawsuits against doctors?
5. How many of you think there are too many unjustified lawsuits against doctors?
6. How many of you feel there should be a limit on the amount of money awarded in negligence lawsuits?
7. How many of you feel there should be a limit on the amount of money awarded in lawsuits against doctors?
8. How many of you feel there is a limit on the amount of money you would be willing to award in a lawsuit against a doctor?
9. How many of you feel that jury awards against doctors in the past have been too high? Would that affect in any way your thinking about making an award in this case?
10. How many of you think that lawsuits against doctors may affect your lives? In what ways?

11. Some people think that doctors should have a special place in society because of the work they do. How do you feel about that?
12. How many of you believe that doctors should not be held responsible for injuries resulting from negligent care or treatment.
13. What do you think about ordinary people without medical training being asked to determine if a doctor was negligent?
14. National and local political parties and officials have stated that many negligence claims against doctors are "frivolous" or "junk lawsuits." How do you feel about those statements?
15. How many of you believe that patients bring too many lawsuits against their doctors?
16. How many of you would feel uncomfortable or embarrassed to find a doctor was careless or negligent?
17. How many of you feel that there should be a limit on the amount of money which can be awarded for pain and suffering?
18. Have you or anyone you know had to deal with a frivolous lawsuit? How did you feel about that?
19. The legal standard of proof in a medical negligence case is by a fair preponderance of the evidence, that is, 51%. How do you feel about that? Does anyone feel that is too low?
20. How many of you feel that a jury shouldn't be asked to decide negligence claims against doctors? Why?
21. How many of you believe that your personal health care, or those of someone you know, will be affected by the outcome of this trial, now or in the future? In what way?
22. How many of you believe that your personal financial interests, or those of someone you know, will be affected by the outcome of this trial, now or in the future? In what way?
23. How many of you have read in the papers, or heard on the radio or television, anything about the costs which doctors pay for insurance, or because of claims like this one? How do you feel about that?

By his Attorneys,



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CERTIFICATE OF SERVICE

I hereby certify that a true copy of the above document was served upon the attorney of record for each party electronically on June 5, 2006.



CARMEN L. DURSO